

AMENDED IN SENATE APRIL 13, 2010

**SENATE BILL**

**No. 1293**

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**Introduced by Senators Hollingsworth and Ducheny**

February 19, 2010

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An act to add Section ~~21080.36~~ *21083.02* to the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1293, as amended, Hollingsworth. Environment: ~~CEQA exemption: vegetation management plan. guidelines: vegetation management projects.~~

~~(1) The~~

~~The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts certain specified activities from its requirements. CEQA requires the Office of Planning and Research to prepare and develop guidelines for the implementation of CEQA by public agencies.~~

~~This bill would exempt from CEQA the adoption of a vegetation management plan or the implementation of a project identified in an adopted plan meeting specified requirements. require the office, on or~~

*after January 1, 2011, at the time of the next update of the guidelines for implementing CEQA, in cooperation with the Department of Forestry and Fire Protection, to prepare, develop, and transmit to the Secretary of the Natural Resources Agency recommended proposed changes or amendments to the initial study for the inclusion of questions related to vegetation management projects to reduce fire hazards that are located in state responsibility areas and high fire hazard severity zones. This bill would also require the Secretary of the Natural Resources Agency to certify and adopt these recommended proposed changes or amendments.*

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 21083.02 is added to the Public Resources
- 2     Code, to read:
- 3     21083.02. (a) On or after January 1, 2011, at the time of the
- 4     next review of the guidelines prepared and developed to implement
- 5     this division pursuant to subdivision (f) of Section 21083, the Office
- 6     of Planning and Research, in cooperation with the Department of
- 7     Forestry and Fire Protection, shall prepare, develop, and transmit
- 8     to the Secretary of the Natural Resources Agency recommended
- 9     proposed changes or amendments to the initial study of the
- 10    guidelines implementing this division for the inclusion of questions
- 11    related to vegetation management projects to reduce fire hazards
- 12    that are located on lands classified as state responsibility areas,
- 13    as defined in Section 4102, and on lands classified as very high
- 14    fire hazard severity zones, as defined in subdivision (i) of Section
- 15    51177 of the Government Code.
- 16    (b) Upon receipt and review, the Secretary of the Natural
- 17    Resources Agency shall certify and adopt the recommended
- 18    proposed changes or amendments prepared and developed by the
- 19    Office of Planning and Research pursuant to subdivision (a).

1     ~~SECTION 1. Section 21080.36 is added to the Public Resources~~  
2     ~~Code, to read:~~

3     ~~21080.36. This division does not apply to the adoption of a~~  
4     ~~vegetation management plan or the implementation of a project~~  
5     ~~identified in an adopted plan if the plan meets all of the following~~  
6     ~~criteria:~~

7     ~~(a) The strategic vegetation treatment is limited to activities that~~  
8     ~~will treat vegetation to reduce fire hazards by reducing the age or~~  
9     ~~thinning the biomass of vegetation in a fire hazard severity zone~~  
10    ~~as identified pursuant to Article 9 (commencing with Section 4201)~~  
11    ~~of Part 2 of Division 4, or in a very high fire hazard severity zone~~  
12    ~~as defined in Section 51177 of the Government Code.~~

13    ~~(b) The strategic vegetation treatment activity does not change~~  
14    ~~the species composition or major physical characteristics of the~~  
15    ~~vegetation through type conversion.~~

16    ~~(c) Biological and archeological surveys are performed on the~~  
17    ~~areas that are proposed for treatment to identify and avoid sensitive~~  
18    ~~areas to prevent impacts to these resources.~~

19    ~~(d) Activities are overseen by a licensed timber operator and~~  
20    ~~conform to the Z'berg-Nejedly Forest Practice Act of 1973~~  
21    ~~(Chapter 8 (commencing with Section 4511) of Part 2 of Division~~  
22    ~~4).~~

23    ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
24    ~~Section 6 of Article XIII B of the California Constitution because~~  
25    ~~this act provides for offsetting savings to local agencies or school~~  
26    ~~districts that result in no net costs to the local agencies or school~~  
27    ~~districts, within the meaning of Section 17556 of the Government~~  
28    ~~Code.~~